

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Georgia Rochon	Team: Squad #2	CCRB Case #: 201900870	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Sunday, 09/09/2018 1:30 AM	Location of Incident: § 87(2)(b)	Precinct: 49	18 Mo. SOL 3/9/2020	EO SOL 3/9/2020	
Date/Time CV Reported Fri, 01/25/2019 2:00 AM	CV Reported At: CCRB	How CV Reported: In-person	Date/Time Received at CCRB Fri, 01/25/2019 2:00 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Gurmeet Singh	27660	948427	049 PCT
2. POM Jerrison Lora	02246	965288	049 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Lyubomyr Vasylykiv	05846	963825	049 PCT
2. POF Arlene Alvarez	03346	963373	049 PCT
3. POM Silverio Calisi	21613	936279	049 PCT
4. POM Evan Bakay	04391	938012	049 PCT
5. LT Eric Carrasquillo	00000	944416	049 PCT
6. POF Chanta James	01485	933871	049 PCT
7. POM Joseph Grigoli	26899	925395	049 PCT
8. POF Teresa Tartarone	16545	964311	049 PCT
9. POM Sean Williams	15219	931427	049 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Gurmeet Singh	Abuse: Police Officer Gurmeet Singh forcibly removed § 87(2)(b) to the hospital.	§ 87(4-b), § 87(2)(g)
B.POM Jerrison Lora	Abuse: Police Officer Jerrison Lora refused to provide his name to § 87(2)(b)	§ 87(4-b), § 87(2)(g)
§ 87(4-b), § 87(2)(g)	§ 87(2)(b)	§ 87(4-b), § 87(2)(g)

Case Summary

On January 25, 2019, § 87(2)(b) filed this complaint with the CCRB in person.

On September 9, 2018, at approximately 12:56 a.m., § 87(2)(b)'s housemate § 87(2)(b) in the Bronx, § 87(2)(b) called 911 and reported that § 87(2)(b) was threatening him. Emergency Medical Services (EMS) and officers were dispatched (Board Review 03). Officers arrived at § 87(2)(b), and Police Officer Gurmeet Singh of the 49th Precinct spoke with § 87(2)(b). Shortly after the officers, EMS arrived and spoke with § 87(2)(b) before informing Police Officer Singh that § 87(2)(b) needed to be taken to the hospital. Police Officer Singh handcuffed § 87(2)(b) and escorted him to a waiting ambulance. (**Allegation A—Abuse of Authority—Forcible Removal to the Hospital**—§ 87(2)(g) While inside the ambulance, § 87(2)(b) asked Police Officer Jerrison Lora of the 49th Precinct for his name, and Police Officer Lora did not provide it (**Allegation B—Abuse of Authority—Refusal to Provide Name**—§ 87(2)(g) Police Officer Singh and Police Officer Sean Williams of the 49th Precinct accompanied § 87(2)(b) in the ambulance to § 87(2)(b).

§ 87(4-b), § 87(2)(g)

Body-worn camera (BWC) footage from Police Officer Singh, Police Officer Silverio Calisi, Police Officer Arlene Alvarez, and Police Officer Lyubomyr Vasylykiv was obtained in the course of the investigation. Police Officer Singh's BWC footage is attached to IA #35 (Board Review 01) and it is summarized in IA #44 (Board Review 02). Police Officer Calisi's BWC footage is attached to IA #34 (Board Review 07) and it is summarized in IA #33 (Board Review 08). Police Officer Alvarez's BWC footage is attached to IA #36 (Board Review 15) and it is summarized in IA #45 (Board Review 16). Police Officer Vasylykiv's BWC is attached to IA #37 (Board Review 17) and it is summarized in IA #46 (Board Review 18). Clips of the relevant portions are attached to IAs #71 (Board Review 09), #72 (Board review 10), #80 (Board Review 11) and #81 (Board Review 12).

Findings and Recommendations

Allegation (A) – Abuse of Authority: Police Officer Gurmeet Singh forcibly removed § 87(2)(b) to the hospital.

§ 87(2)(b) was interviewed at the CCRB on January 25, 2019. § 87(2)(b) provided a telephone statement on February 20, 2019 (Board Review 19). Police Officer Singh was interviewed on March 8, 2019. Police Officer Lora was interviewed on March 13, 2019.

§ 87(2)(b) stated that in the early morning of September 9, 2018, he argued briefly with his intoxicated roommate, § 87(2)(b) in their shared kitchen, before entering his bedroom and locking the door. § 87(2)(b) did not threaten or touch § 87(2)(b) during this dispute.

Approximately 10 to 15 minutes later, § 87(2)(b) heard a knock on his bedroom door. Upon opening the door, he saw numerous police officers. Police Officer Singh informed § 87(2)(b) that § 87(2)(b) had told the officers that § 87(2)(b) was acting “crazy,” and asked § 87(2)(b) if he took medication. Soon after, an EMT arrived and conversed inaudibly with Police Officer Singh. The EMT proceeded to ask § 87(2)(b) to show him his medication, which § 87(2)(b) did not do. § 87(2)(b) was then handcuffed, escorted to an ambulance, and taken to the hospital.

As per Event #§ 87(2)(b) (Board Review 03), § 87(2)(b) called 911 at 12:56 a.m. on September 9, 2018 and stated that § 87(2)(b) was threatening him and acting irate. § 87(2)(b) informed the 911 dispatcher that § 87(2)(b) had a mental history and took medication. § 87(2)(b) was identified as an emotionally disturbed person (EDP), and EMS was dispatched along with officers from the 49th Precinct.

A subclip of Police Officer Singh’s body-worn camera footage shows a quiet consultation taking place inside § 87(2)(b)’s room between Police Officer Singh and a person or persons not visible off screen, in which Police Officer Singh asks, “Take him in?” and a voice can be heard saying, “Yeah.” Another voice says, “I’ll walk him,” after which someone says, “I’ll take him.” Police Officer Singh can then be heard repeating, “Take him in?” (Board Review 09).

While it is not clear who is speaking off-screen in Police Officer Singh’s body-worn camera footage, a clip of Police Officer Calisi’s body-worn camera footage (Board Review 11) shows that the person standing closest to Police Officer Singh during this consultation was an EMT, indicating that Police Officer Singh was consulting with an EMT as to whether they should take § 87(2)(b) to the hospital.

In the EMS van, Police Officer Singh’s body-worn camera footage captures an interaction in which an officer not visible explains to § 87(2)(b) that EMS determined that he had to go to the hospital (Board Review 12). § 87(2)(b) asks the EMT, who identifies himself during the conversation as § 87(2)(b), why he has to go to the hospital, and § 87(2)(b) responds, “Because you weren’t able to answer questions and you are not acting in a social norm, which deems you an emotionally disturbed patient which means you have to be evaluated by a physician at the hospital.”

§ 87(2)(g)
§ 87(2)(b) Police Officer Singh stated that EMS was called by Central Dispatch at the instigation of the radio run, and that it was the EMTs who ultimately determined that § 87(2)(b) should be removed to the hospital. Police Officer Singh identified himself as the person saying, “Take him in?” in the clip discussed above, and identified this moment as that in which the EMTs informed him of their decision to remove § 87(2)(b) to the hospital. Police Officer Singh then handcuffed § 87(2)(b) escorted him to the ambulance and accompanied him in the ambulance to § 87(2)(b).

According to Patrol Guide Procedure 216-01 (Board Review 05), When an AIDED person is placed in care of ambulance or medical personnel, officers shall cooperate with ambulance personnel in every reasonable manner.

§ 87(2)(g)
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

Allegation (B) – Abuse of Authority: Police Officer Jerrison Lora refused to provide his name to § 87(2)(b)

A clip of Police Officer Singh’s body-worn camera footage (Board Review 10) shows § 87(2)(b) asking Police Officer Singh and another officer whose face is not visible, but who was identified through investigation as Police Officer Lora, for their names. § 87(2)(b) and both officers are inside the ambulance. § 87(2)(b) looks at Police Officer Singh and says, “Officer, I want your name man,” then turns his head and looks to the other side, at an officer whose arm is visible in the lower righthand corner of the screen and says, “I want your name officer.” Police Officer Singh responds, “My name is Singh, you’re being recorded, don’t worry.” The other officer says, “You’re being recorded,” and does not provide his name.

After this interaction, Police Officer Singh remains with § 87(2)(b) in the ambulance for the duration of the footage. Police Officer Lora is not heard providing his name to § 87(2)(b) at any point.

Police Officer Singh identified Police Officer Lora as the officer whose arm is visible at the lower righthand corner of the screen. Police Officer Lora also identified himself as the officer whose arm is visible at the lower righthand corner of the screen. Initially, Police Officer Lora stated that he did not recall § 87(2)(b) requesting his name at any point. After reviewing the footage, Police Officer Lora stated that this footage refreshed his recollection of the incident, but that he did not know whether he provided his name to § 87(2)(b) at any point after § 87(2)(b)’s request.

Patrol Guide Procedure 203-09 (Board Review 06) requires that an officer state his or her name, or otherwise provide it, to anyone who requests this information. § 87(2)(g)

[REDACTED]
[REDACTED]
[REDACTED]

§ 87(4-b), § 87(2)(f)
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

§ 87(4-b), § 87(2)(g)

Civilian and Officer CCRB Histories

- § 87(2)(b) has been party to one other CCRB complaint and has been named a victim in one allegation (Board Review 13):
 - § 87(2)(b)
- Police Officer Singh has been a member of service for nine years and has been a subject in four additional CCRB complaints and six allegations, none of which were substantiated. § 87(2)(g)
- Police Officer Lora has been a member of service for one year and this is the first CCRB complaint to which he has been a subject.

Mediation, Civil and Criminal Histories

- § 87(2)(b) declined to mediate this complaint.
- As of March 19, 2019, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regard to this complaint (Board Review 20).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad No.: _____

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date